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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,333	10/27/2003	Leo Kurkinen	11001.121	3864

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Christopher J. Fildes
Fildes & Outland, P.C.
Suite 2
20916 Mack Avenue
Grosse Pointe Woods, MI 48236

EXAMINER

TADESSE, YEWEBDAR T

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,333

Applicant(s)

KURKINEN ET AL.

Examiner

Yewebdar T Tadesse

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/01/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. Claim 1 is objected to because of the following informalities: on line 5, the closed bracket sign “)” after the word “web” appears to be a typographic error. Appropriate correction is required.
2. Claim 11 is objected to because of the following informalities: on line 3, the phrase “with the therein included” appears to be grammatically incorrect. Appropriate correction is required. For the purpose of examination “therein included” is assumed.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
4. Claim 1 recites (see line 13) the limitation “the cross component”. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, “the at least one cross component” is assumed.

Claim 2 recites (see line 3) the limitation “the end component” in claim 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, “one of the end components” is assumed.

Claim 3 recites (see lines 2 and 4) the limitation “the cross component” in claim 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, “the at least one cross component” is assumed.

Claim 4 recites (see lines 2 and 5) the limitation "the conduit" in claim 3. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, "the at least one conduit" is assumed.

Claim 4 recites (see lines 3-4) the limitation "the cross component" in claim 3. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, "the at least one cross component" is assumed.

Claim 7 recites (see line 2) the limitation "the end component" in claim 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, "one of the end components" is assumed.

Claim 10 recites (see line 2) the limitation "the cross component, end component" in claim 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, "the at least one cross component, end components" is assumed

Claim 10 recites the limitation "sheet metal blade" in claim 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites (see line 2) the limitation "the substantially similar nozzle units" in claim 11. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination, "the two nozzle units" is assumed.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-3, 5-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshinaga (US 5,650,011) in view of Williamson et al (US 2,772,653). As to claims 1 and 7-10, Yoshinaga discloses (see Figs 1-4 and column 2, lines 16-21) a coating station (apparatus 10) for coating a web produced with a forming machine (elongated fabric, a plastic film and a metal sheet) with a selected coating material (liquid) comprising a frame extending substantially across the entire width of the web (see Fig 2, for the load-bearing cross-directional frame) and applicator elements (dies 12,14) supported to the frame for applying the coating material to the surface of the web (W) arranged to pass through the coating apparatus, wherein the frame is arranged by at least one cross component (lower body 28 with projection 36 and upper body 26) formed into a box type structure (see structures of items 12 and 14), the cross

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component (lower body 28 with projection 36) and upper body 26 extending substantially the entire width of the web and by end components (see Fig 2 for the sides of the box-type structures 12 and 14 at interval from each other) to which the cross component (26, 28) is attached by its end parts. Yoshinaga lacks teaching at least one cross component or one of the end components formed out of sheet metal. However a coating device having housing made of sheet metal is well known in the art; for instance, Williamson et al teaches (see column 1, lines 63-70) a coating device having casing sections made of sheet of metal (capable of being laser-cut or welded and having thickness 0.5-5 mm or 1-3 mm). It would have been obvious to one of ordinary skill in the art at the time the invention was made to form components of a coating apparatus out of metal sheet to reduce weight. As to claim 2, in Yoshinaga (see column 3, lines 60-61) the cross component is removably adapted to attach to one of the end component with one or more screw connections (a portion of lower body is secured to the upper body 26 by bolts 40). With respect to claim 3, in Yoshinaga there is at least one conduit (reservoir 54) extending across the entire length of the at least one cross component (26,28). As to claims 5-6, in Yoshinaga the number of cross components is 2 (in the range of 1-4 or 1-5). With respect to claim 11, in Yoshinaga the applicator elements are non-contacting and comprising two nozzle units including nozzles adapted to extend from inside the frame to the web side of the cross component for spraying the coating material onto the surface of the web (extending outlet ports 56 having discharge ports 60 for forcing the coating material onto the surface of the web). As to claim 12, it is obvious to duplicate parts for multiplied effect and it is also within the arts of the

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invention to arrange nozzle units in the desired position for maintenance or operational purpose. With respect to claim 13, In Yoshinaga the coating station comprises two substantially similar frame structures that include applicator elements (dies 12,14) and the frame structures being set opposed to and at an interval from each other and the web passes between the structures for coating simultaneously both surfaces of the web (see Figures 1-4 and column 1, lines 5-8).

Allowable Subject Matter

8. Claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: Bryant et al (US 4,398,665) discloses (see claim 1) a curved blade extending along the length of the reservoir. Prior art of record does not disclose or suggest a coating station comprising, among others, a straight blade attached to at least one cross component, forming a part of the at least one conduit.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Georgii (US 4,673,453) discloses (see column 1, lines 56-66) a structural body made of laser cut metal sheets having thickness between 0.7 and 1.0 mm.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM-4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yewebdar T. Tadesse
YTT

CA Fiorilla
CHRIS FIORILLA
SUPERVISORY PATENT EXAMINER
Au 1734